

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JASON A. SANABRIA

Plaintiff

v.

**ST. LUKES HOSPITAL (SACRED
HEART CAMPUS), *et al.***

Defendants

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CIVIL ACTION NO. 20-4091

ORDER

AND NOW, this 21st day of December, 2020, upon consideration of Plaintiff Jason A.

Sanabria's Second Amended Complaint (ECF Nos. 17 & 18), it is **ORDERED** that:

1. The Court will **VACATE** its December 15, 2020 Order (ECF No. 20) to the extent that Order dismissed this case with prejudice.
2. The Clerk of Court shall **REOPEN** this case so that the Court may consider Sanabria's Second Amended Complaint.
3. The Clerk of Court shall **AMEND** the caption to reflect the caption of the Second Amended Complaint by indicating that the Defendants are: (a) St. Luke's (Sacred Heart Campus); (b) Allentown Police Department; and (c) Lehigh County Jail.
4. The Second Amended Complaint is **DISMISSED** in its entirety for the reasons in the Court's Memorandum as follows:
 - a. Mr. Sanabria's federal claims against St. Luke's (Sacred Heart Campus) and the Allentown Police Department are **DISMISSED WITH PREJUDICE** for failure to state a claim, pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii);

- b. Mr. Sanabria's state claims St. Luke's (Sacred Heart Campus) and the Allentown Police Department are **DISMISSED WITHOUT PREJUDICE** for lack of subject matter jurisdiction; and
 - c. Mr. Sanabria's claims against the Lehigh County Jail based on his current conditions of confinement are **DISMISSED WITHOUT PREJUDICE** to Mr. Sanabria raising those claims in a new lawsuit filed against appropriate defendants.
5. The Clerk of Court shall **CLOSE** this case for all purposes, including statistics.

BY THE COURT:



GENE E.K. PRATTER, J.